

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
April 1, 2003

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:00 p.m., Tuesday, April 1, 2003, in the Board Room, York Hall, by Chairman James S. Burgett.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Thomas G. Shepperd.

Also in attendance were James O. McReynolds, County Administrator; and James E. Barnett, County Attorney.

Invocation. Pastor Walter C. Johnson, Zion Prospect Baptist Church, gave the Invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Burgett led the Pledge of Allegiance.

PRESENTATIONS

EMERGENCY PREPAREDNESS

Sheriff J. D. Diggs and Fire Chief Stephen P. Kopczynski made a presentation on the efforts of their respective departments to ensure the safety of the County's citizens in the event of a terrorist attack or threat and dealing with the effects of the use of weapons of mass destruction. They explained the training their personnel have undertaken and the methods of instruction for the courses taken. They also briefed the Board on steps the citizens can take to ensure home safety. Sheriff Diggs and Chief Kopczynski recommended that citizens visit the Sheriff's and Department of Fire and Life Safety's web sites for more detailed information.

CITIZENS COMMENT PERIOD

No one appeared to speak at this time.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Barnett briefed the Board on York County's success with the General Assembly this year. Some funding from the Juvenile Crime Act will be restored. He noted it was a victory that the County didn't suffer more loss this year. All legislation that was to be carried over was killed, so the support bill on enterprise zones didn't make it. The Board asked for an increase in the amount of retiree health insurance credit, but HB 2706 was pulled; the state indicated that in financial review it had an adverse financial impact on the state. He stated that Mr. McReynolds does not agree with the State's financial analysis, and the staff will try again next year. The request for a photo monitoring system gets a little closer to passage every year, and sev-

eral bills this year would have allowed York County to have it, but they all ended up killed in a house committee. The request for funding to support HRPDC to pay for data for the upcoming Base Realignment and Closure Committee was not added this year as it was in the past. He stated the County scored a success in an amendment through SB1220 to enable York County to better regulate parking within its own borders. The request to amend the code to allow the Planning Commission and the Board of Zoning/Subdivision Appeals to do as the Board of Supervisors does in terms of rescheduling meetings without further advertisement in the event of inclement weather passed. SB1219 to clarify that clerks have authority for preapproval of plats before recordation was pulled. He stated he did not think it affects York County's Clerk's rule which she put in effect, but other clerks don't see it so clearly. It has been suggested that the Clerk work with other clerks in the state to get this legislation passed. Mr. Barnett also noted that County authority for taxation on cigarettes was not passed. The last minute item the Board asked for concerning pawn brokers being required to keep records on items that are purchased for resale was also passed. Mr. Barnett indicated he could report later on other items of interest once a summation from VML and VACo is received, which will be after the veto session.

Mr. Zaremba asked Mr. Barnett for the rationale of the General Assembly in not allowing jurisdictions local authority to raise taxes on cigarettes.

Mr. Barnett indicated that the General Assembly did not want to increase taxes and they wanted the local governments to do the same. He stated he was not aware of any efforts to decrease current taxing authority, but there were no initiatives that survived to increase that authority.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. McReynolds noted that last Tuesday he and Carol White were in Washington, D.C., with Dr. Staples and Page Minter of the School Board meeting with York County's Congressional Delegation to discuss impact aid. He stated the version of the budget in the House has a slight increase proposed, yet the Senate's version is not quite as generous. Mr. McReynolds stated he was hoping the County will see at least this year's level of funding maintained. He then reminded the Board of its meeting with the York Town Trustees at 6 p.m. next Tuesday, April 8, and of its April 15 regular meeting the following week.

Discussion followed concerning flood insurance rates. It was noted that staff was working with FEMA and would provide the Board with more information soon.

Mr. Shepperd asked Mr. McReynolds if there was any talk of changing the formula for impact aid by the government.

Mr. McReynolds stated no, the same formula is being used.

MATTERS PRESENTED BY THE BOARD

Mrs. Noll stated everyone has been glued to television sets because of the war in Iraq. She extended her thoughts and prayers to the servicemen and their families. She then noted that the blue ribbons worn by the Board and staff are to signify that April is Child Abuse Prevention Month, and she asked all citizens to watch out for the children and protect them.

Mr. Wiggins also spoke of the blue ribbons, stating it is a critical situation and everyone needs to do everything possible to prevent child abuse. He noted that April 14 is the celebrity waiter luncheon for the prevention of child abuse, and people who are known in the area wait tables for tips to support this program. He invited anyone interested in donating to come to Luigi's at 12:00 noon and sit at his table and support the program. Mr. Wiggins then noted the Watermen's Museum had its annual breakfast for the membership on Saturday, and they are getting ready for a super year. He stated they need volunteers, and he asked interested persons to give the Museum a call. The County had its Library Volunteer Appreciation Day this past week, and again there was a big turn out. Mr. Wiggins also indicated he attended the first meeting of the Senior Housing Committee last week, which consists of 3-4 members of the Planning Commission, citizens, and he represents the Board. He stated the goal is to find property that is suitable for housing for the elderly in our community.

Mr. Zaremba stated the Board will approve the FY04 budget this evening, which culminates a 5-6 month period with interaction between the Board of Supervisors, the School Division, the staff, and Constitutional Officers. Unlike the state, he stated York County's process is an absolute success. Notwithstanding the cuts by the state, the County will have a balanced budget by which this Board will not increase the real estate tax rate. Mr. Zaremba stated that to put together this balanced budget takes a lot of dedication, responsibility, and accountability, as well as fiscal oversight, and he explained how he felt York County was very responsible in comparison to its neighbors. He also spoke of a meeting to be held tomorrow night at 5:00 p.m. to inform adjacent residents of what is being done with the development near the Queens Lake and Royal Grant area of the County. Mr. Zaremba then spoke of citizens coming to the meetings and speaking before the Board, and he asked the Board to consider providing them some kind of response by the next regular meeting. Alternatively, he stated it could be done through a note from the appropriate department to the citizen to close the loop. He asked the Board members to give some thought to standardizing the way they respond to the citizens.

Mr. Shepperd indicated that since the last meeting he had the opportunity to attend the Mayors and Chairs meeting held in Gloucester at Warner Hall. He stated the predominant part of the meeting covered the briefing given by Dr. Spencer dealing with workforce development and how well it is doing on the Peninsula. The good thing about the new program is that the board is managed by the businesses; they guide the program, and there have been a lot of successes. Mr. Shepperd then reminded everyone of his April 28 District 5 Town Meeting to be held between 7:00 and 9:00 p.m. at the Tabb Elementary School gym. He stated he would cover budget, zoning, planned development, roads, sewer, water updates, sewer, an auto decal update, wetlands, mosquito season, and the Sheriff will provide a report on criminal activity in lower end of the County. He stated the citizens can ask questions, and it is not tied to any political campaigning. Mr. Shepperd then noted everyone has seen a lot in the news about the war and the troops. People talk about what they can do to help, and Mr. Shepperd suggested that individuals can attend rallies in support of the troops, fly the American flag outside the home, write letters to newspapers, and, most importantly, write letters to the service members overseas and express thanks for what they are doing for the country.

Chairman Burgett reminded everyone about the Rally America to be held this Saturday, April 5, at William and Mary Hall. He stated he had been involved with a corridor design meeting in Williamsburg where Board members met with members of the James City County Board of Supervisors, members of Williamsburg City Council, the Regional Issues Committee, and an architect to look at how the corridors leading into the localities can be improved. Mr. Burgett stated he met this morning with the Chair of the James City County Board of Supervisors, Jay Harrison, and noted they both agree the two boards will support this effort. He noted the Board also hosted the Chairs of the County's boards and commissions at a meeting on March 26, and

April 1, 2003

he had a delightful evening talking with them and indicating how interested the Board is in what they are doing. Mr. Burgett then stated that last Saturday he was at Lafayette High School for the kick off of the Williamsburg Talks--a commitment by the citizens of the three localities to meet and discuss race and race relations. He reminded all the volunteers that this Saturday is Volunteer Appreciation Day at Chisman Creek Park, and later that day the Board will be welcoming the Zweibrucken Exchange Students. He also brought to the Board's attention a proposal of Newport News to take a positive step against abandoned gas stations. He stated Newport News is looking at making it a part of their use permit process for the permittee to agree that if the building is abandoned for a term of time they have to get a new tenant or tear the building down. He stated the reason York County has so many abandoned gas stations is because the major oil companies get a seven year write-off whether the station is operating or not. He stated it could explain why they are in no rush to relieve the community of these eyesores.

CONSENT CALENDAR

Mrs. Noll moved that the Consent Calendar be approved as amended, Item Nos. 1, 2, and 3, respectively, to include proposed Resolution R03-74.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 1. APPROVAL OF MINUTES

The minutes of the following meetings of the York County Board of Supervisors were approved:

March 4, 2003, Adjourned Meeting
March 4, 2003, Regular Meeting
March 6, 2003, Adjourned Meeting
March 11, 2003, Adjourned Meeting
March 13, 2003, Adjourned Meeting

Item No. 2. RENTAL SUBSIDIES PROGRAM: Resolution R03-62.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO TAKE ALL ACTIONS NECESSARY TO ACCEPT FUNDING AND CONTINUE TO IMPLEMENT RENTAL SUBSIDY PROGRAMS FUNDED THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY

WHEREAS, the Board of Supervisors has a long standing commitment to assisting the County's low and moderate income citizens in meeting essential housing needs; and

WHEREAS, the rental subsidy programs funded and administered through the U.S. Department of Housing and Urban Development and the Virginia Housing Development Authority

provide annual outside funding that assists eligible County citizens;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 1st day of April, 2003, that the County Administrator be, and he is hereby, authorized to accept funding in the amounts offered the County by the Virginia Housing Development Authority (VHDA), execute any necessary grant agreement, contracts of other documents with VHDA, and to participate fully in the Section 8 Voucher Rental Subsidy Programs for FY2004, provided that all documents shall be approved as to form by the County Attorney.

Item No. 3. ENDORSEMENT OF FAIR HOUSING PRINCIPLES: Resolution R03-49

A RESOLUTION ENDORSING THE PRINCIPLES OF FAIR HOUSING
AS SET FORTH IN TITLE 36, CHAPTER 5.1 OF THE CODE OF VIR-
GINIA (1950) AS AMENDED

WHEREAS, the Commonwealth of Virginia has, through Section 36-96.1 of the Code of Virginia (1950, as amended), established a policy to: "provide for fair housing throughout the Commonwealth, to all its citizens, regardless of race, color, religion, national origin, sex, elderliness, familial status, or handicap, and to that end to prohibit discriminatory practices with respect to residential housing by any person or group of persons, in order that the peace, health, safety, prosperity, and general welfare of all inhabitants of the Commonwealth may be protected and insured"; and

WHEREAS, Section 36-96.8 et.seq., of the Code of Virginia (1950 as amended) empowers the Virginia Real Estate Board to receive complaints and conduct investigations of alleged violations of the Fair Housing Law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 1st day of April, 2003, that the Board does hereby reaffirm its endorsement of the principles of the Virginia Fair Housing Law and does hereby state that it is the policy of the York County Board of Supervisors that said principles are, and continue to be, adhered to in this County.

APPOINTMENT TO THE STORMWATER ADVISORY COMMITTEE: Resolution R03-74 (Added to Consent Calendar

A RESOLUTION TO APPOINT A MEMBER TO THE STORMWATER
ADVISORY COMMITTEE

BE IT RESOLVED by the York County Board of Supervisors this the 1st day of April, 2003, that Thomas J. Burgess be, and he is hereby, appointed as a voting member from District 1 to the York County Stormwater Advisory Committee, such appointment to take effect immediately, and expire on March 31, 2007.

NEW BUSINESS

PROPOSED FISCAL YEAR 2004 BUDGET AND TAX RATES FOR 2003

April 1, 2003

Mr. McReynolds stated that the next four items deal with the proposed Fiscal Year 2004 budget and 2004-2009 CIP. He addressed the four action items together, making a brief presentation on the ordinance to set the 2003 tax rates, approval of the FY2004 budget, the approval of the CIP as a planning document, and designation of real property tax for school purposes. Mr. McReynolds reviewed the budget process which started with input by the staff on November 15, 2002, and the work sessions, forums, and hearings held to date. He reviewed the highlights of the proposed budget and expressed appreciation to Carol White and her staff for putting the budget and information together.

Mr. Zaremba asked how much of the 86 cents per \$100 of assessed value for the real estate tax goes to schools

Mr. McReynolds indicated the amount is 63.8 cents.

Mrs. White indicated it amounts to approximately 75 percent of the County's real estate tax.

Mr. Zaremba noted it is the majority of the real estate tax which emphasizes how much support the Board allocates to education.

Mrs. Noll then moved the adoption of proposed Ordinance No. 03-9 that reads:

AN ORDINANCE TO IMPOSE TAX LEVIES UPON TANGIBLE PERSONAL PROPERTY, UPON MACHINERY AND TOOLS, UPON MOBILE HOMES, AND UPON REAL ESTATE FOR THE CALENDAR YEAR 2003, AND TO PRORATE TAXES ON MOBILE HOMES

WHEREAS, it is necessary for the Board of Supervisors to establish real estate and personal property tax levies for the County of York for calendar year 2003 beginning January 1, 2003, and ending December 31, 2003; and

WHEREAS, the Board has duly advertised and held a public hearing on the subject tax levies;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the 1st day of April, 2003, that the following County tax levies be, and they hereby are, imposed for the calendar year 2003:

	<u>Class of Property</u>	<u>Rate Per \$100 of Assessed Valuation</u>
1.	Real Estate	.86
2.	Tangible Personal Property	4.00
3.	Machinery and Tools	4.00
4.	Vehicles without motive power, used or designed to be used as manufactured homes as defined in Section 36-85.3 of the Code of Virginia	.86

5. Boats or watercraft 1.00
weighing five tons or more

BE IT FURTHER ORDAINED that if a mobile home is delivered or moved to York County after January one of any year and used as a place of full-time residence by any person, the Commissioner of Revenue shall assess and quarterly prorate any property taxes which would have been collectible had such mobile home been situated within York County on January one of that year.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Shepperd, Zaremba, Burgett
Nay: (0)

Mr. Wiggins then moved the adoption of proposed Resolution R03-61 that reads:

A RESOLUTION TO APPROVE THE BUDGETS AND APPROPRIATE FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2003, AND ENDING JUNE 30, 2004

WHEREAS, the County Administrator has submitted to the York County Board of Supervisors a proposed annual budget for the County for the fiscal year beginning July 1, 2003, and ending June 30, 2004, which has been reviewed by the Board of Supervisors; and

WHEREAS, it is necessary to adopt said budget and appropriate sufficient funds to cover the requirements included therein; and

WHEREAS, the Board of Supervisors, in exercising its independent judgment and in concert with the York County School Board, has considered the school's annual operating budget; and

WHEREAS, after considering the availability of local funds, approval of the York County School Board's Fiscal Year 2004 educational budget is based upon funding from the Federal government in the amount of \$10,738,172; from the state government in the amount of \$43,097,779; from the local appropriations in the amount of \$31,439,000 (including \$890,660 for continuation of the School Grounds Maintenance Agreement); and other local revenues in the amount of \$1,076,950;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 1st day of April, 2003, that the Fiscal Year 2004 annual budget of the York County School Division for school operations in the amount of \$86,351,901 be, and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

BE IT FURTHER RESOLVED that the annual budget in the sum of \$3,085,806 for Fiscal Year 2004 be, and is hereby, approved for the operation of food service programs for purposes authorized and approved by the York County School Board subject to and contingent upon the availability of funds.

BE IT STILL FURTHER RESOLVED that the Fiscal Year 2004 Annual Budget for the County of York be, and is hereby, adopted as proposed on this date.

BE IT STILL FURTHER RESOLVED that the following annual appropriations for Fiscal Year 2004 be, and are hereby, made in the General Fund for the following functions:

<u>Functions:</u>	
General Administration	1,572,393
Judicial Administration	1,884,419
Public Safety	17,275,466
Environmental & Development Services	3,460,739
Finance & Planning	6,430,363
Education & Educational Services	39,345,637
Human Services	2,169,618
General Services	4,755,132
Community Services	2,324,370
Capital Outlay	4,435,644
Non-Departmental	<u>2,655,282</u>
Total General Fund	<u>86,309,063</u>

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer the appropriations included in the General Fund Non-Departmental function for the allocation of the market adjustment and benefits to the personnel services category in the various General Fund functions.

BE IT STILL FURTHER RESOLVED that the appropriation of the transfer of one-half (1/2) of the actual meals tax collections to the Water and Sewer Extension and Stormwater Maintenance Funds be, and is hereby, adjusted in the General Fund to effect the funding for County water, sewer and stormwater projects.

BE IT STILL FURTHER RESOLVED that the appropriation of the transfer of an amount equal to actual revenues received as a result of the three percent (3%) increase in the Transient Occupancy Tax rate to the Tourism Fund be, and is hereby, adjusted in the General Fund to effect the funding for tourism and travel related activities.

BE IT STILL FURTHER RESOLVED that the \$39,345,637 appropriated above from the General Fund for Education and Educational Services, includes \$31,439,000 for the local contribution to the School Division for support of the School operating budget and, of this amount \$30,548,340 is appropriated as a non-categorical appropriation to be allocated among the various school operating categories as the School Board deems necessary and \$890,660 is appropriated to the Operation and Maintenance Category for continuation of the School Grounds Maintenance Agreement, dated June 23, 1992, as adopted by the York County Board of Supervisors and the York County School Board.

BE IT STILL FURTHER RESOLVED that local revenue received directly by the School Operating Fund, estimated to be \$1,076,950 for Fiscal Year 2004 be, and is hereby, appropriated in the School Operating Fund subject to and contingent upon the availability of funds.

BE IT FURTHER RESOLVED that local revenue received directly by the School Food Service Programs, estimated to be \$2,150,806 for Fiscal Year 2004 be, and is hereby, appropriated in the School Food Service Fund subject to and contingent upon the availability of funds.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$550,000 for Fiscal Year 2004 be, and is hereby, made in the Schools Workers' Compensation Fund for the management and operation of the workers' compensation program.

BE IT STILL FURTHER RESOLVED that an annual appropriation in the sum of \$4,395,000 for Fiscal Year 2004 be, and is hereby, made in the School Construction Fund for school capital projects.

BE IT STILL FURTHER RESOLVED that the \$2,650,282 appropriated above from the General Fund for Non-Departmental, includes \$40,000 for the retiree health insurance plan.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,218,400 for Fiscal Year 2004 be, and is hereby, made in the Tourism Fund for tourism and travel related activities.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$500,000 for Fiscal Year 2004 be, and is hereby, made in the County Workers' Compensation Fund for the management and operation of the workers' compensation program.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$2,223,566 for Fiscal Year 2004 be, and is hereby, made in the Vehicle Maintenance Fund for the operation of the County's vehicle and equipment maintenance program.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$4,273,886 for Fiscal Year 2004 be, and is hereby, made in the Virginia Public Assistance Fund for the operation of the York/Poquoson Department of Social Services.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Virginia Public Assistance Fund be, and is hereby, increased if and when additional federal and/or State funds become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$91,500 for Fiscal Year 2004 be, and is hereby, made in the Yorktown Waterfront Fund for the operation and maintenance of the Yorktown Waterfront.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$9,000 for Fiscal Year 2004 be, and is hereby, made in the Law Library.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,252,880 for Fiscal Year 2004 be, and is hereby, made in the Children's Services Fund for the operation of the Children's Services, Head Start, Head Start Plus and the United States Department of Agriculture (USDA) Programs.

BE IT STILL FURTHER RESOLVED that the annual appropriations of the Head Start, Head Start Plus and USDA Programs be, and are hereby, increased if and when additional federal and state funds or local contributions become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions. In addition, the County Administrator is, and shall be, authorized on a continuing basis to apply for subsequent grants and aid under the Children's Services, Head Start, Head Start Plus and USDA Programs and to do all things necessary to implement said grants.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$3,984,040 for Fiscal Year 2004 be, and is hereby, made in the Yorktown Capital Improvements Fund.

April 1, 2003

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$12,062,000 for Fiscal Year 2004 be, and is hereby, made in the County Capital Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$910,234 for Fiscal Year 2004 be, and is hereby, made in the Fire and Rescue Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$5,496,688 for Fiscal Year 2004 be, and is hereby, made in the School Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$432,317 for Fiscal Year 2004 be, and is hereby, made in the Public Facilities Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the following appropriations for Fiscal Year 2004 be, and are hereby, made in the Sanitary District and Enterprise Funds:

Funds:

Sanitary District No. 1 Fund	84,900
Upper County Utility Fund	17,000
Solid Waste Fund	4,210,450
Water Utility Fund	432,635
Sewer Utility Fund	5,679,000
Stormwater Management Fund	957,418
Sanitary District No. 2 Fund	443,100
Water and Sewer Extension Fund	2,430,608

BE IT STILL FURTHER RESOLVED that the County Treasurer, upon receipt of a written order from the County Administrator, is authorized to advance moneys between the several County funds under her custody provided, however, that the total advanced to any particular fund, plus the amount of moneys disbursed from that fund, does not exceed the annual appropriation of said fund.

BE IT STILL FURTHER RESOLVED that, upon receipt of a written request from the York County Library Board, the County Administrator shall be, and is hereby, authorized to do all things necessary to apply for federal and state library aid and in addition, the annual appropriation for library operations be, and is hereby, increased for all funds received under this program in accordance with the recommendations of the York County Library Board.

BE IT STILL FURTHER RESOLVED that, upon receipt of a written notification of a grant award by various state and federal agencies not to exceed \$30,000, the County Administrator shall be, and is hereby, authorized to accept and to execute grant agreements, unless the terms of the grant require specific actions by the Board and to give such assurances as may be required by the grant agreement, to be approved as to form by the County Attorney, and in addition, the grant funding awarded shall be, and is hereby, appropriated under these programs to the appropriate functional area.

BE IT STILL FURTHER RESOLVED that additional funds received from the federal or state Drug Asset Revenue Sharing Programs be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the federal and state governments.

BE IT STILL FURTHER RESOLVED that interest earned on grant awards received from federal and state agencies be, and are hereby, appropriated to the appropriate functional area to be expended in accordance with guidelines as established by the federal and state governments.

BE IT STILL FURTHER RESOLVED that additional funds received from contributions for the Safety Town Program, Beautification Projects, the Youth Commission, the Zweibrucken Exchange Program, programs of the York County Sheriff's Office, Fire and Life Safety Programs, or Community Services Programs be, and are hereby, appropriated in the General Fund for the purposes established by each program.

BE IT STILL FURTHER RESOLVED that funds received for the off-duty employment by deputy sheriffs program be, and hereby are, appropriated in the General Fund to cover the costs of the program.

BE IT STILL FURTHER RESOLVED that funds received from the Virginia Department of Social Services through the Revenue Maximization Program for the enhancement and expansion of human services programs or to develop new initiatives to better meet human services needs within the County be, and are hereby, appropriated in the General Fund in accordance with program guidelines. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that funds received from the Federal Emergency Management Agency (FEMA) for reimbursements for expenses incurred as a result of unusual and infrequent events not to exceed \$30,000 per incident be, and are hereby, appropriated under this program to the appropriate functional area.

BE IT STILL FURTHER RESOLVED that funds received through insurance claims for damages incurred to County property as a result of unusual and infrequent events not to exceed \$30,000 per incident be, and are hereby, appropriated under this program to the appropriate functional area.

BE IT STILL FURTHER RESOLVED that additional funds received from donations from the York County Fire & Rescue Volunteers be, and are hereby, appropriated in the General Fund for the purpose of supporting programs of the Department of Fire and Life Safety.

BE IT STILL FURTHER RESOLVED that additional funds received from the State Department of Environmental Quality for the Litter Control Program be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the State government.

BE IT STILL FURTHER RESOLVED that additional funds received from the State Department of Emergency Services for the emergency management program be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the State government.

BE IT STILL FURTHER RESOLVED that additional funds received from the Virginia Juvenile Crime Control Act (VJCCA) for juvenile correction programs be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the State government.

BE IT STILL FURTHER RESOLVED that upon receipt of written notification from the State Compensation Board of additional funds for the Constitutional Officers (Commonwealth's Attorney, Sheriff, Clerk of Court, Treasurer, and Commissioner of Revenue) not to exceed \$30,000 be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the State government.

BE IT STILL FURTHER RESOLVED that the annual contributions that are in excess of \$30,000, which are hereby appropriated, shall be disbursed on a semiannual basis with the amount disbursed not to exceed one half of the total appropriation. Contributions to the York County School Board and the York/Poquoson Department of Social Services are exempt from this limitation. All other exceptions must be approved by the Board of Supervisors. In addition, the County Administrator may require written reports on how the previous allocation(s) was/were spent before any future disbursements are made.

BE IT STILL FURTHER RESOLVED that the monies be, and are hereby, appropriated for Fiscal Year 2004 in the various funds for the purpose of liquidating encumbered purchase transactions as of June 30, 2003 not to exceed the Reserves for Encumbrances as recorded in the County's audited accounting records. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the monies be, and are hereby, appropriated for Fiscal Year 2004 in the various funds for the purpose of continuing capital and special projects as of June 30, 2003 not to exceed the Designation of Subsequent Year's Expenditures as recorded in the County's audited accounting records. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer funds within appropriation functions. These transfers may be made to allow the disbursement of funds for unanticipated costs incurred in daily County operations and any such transfer may not result in a change in the total appropriated for personnel or non-personnel costs within the function.

BE IT STILL FURTHER RESOLVED that the County Administrator, Director of Financial and Management Services and Chief of Budget and Financial Reporting be, and are hereby, the authorized signers for the General Administration petty cash account available to allow for emergency purchases necessary in daily County operations.

On roll call the vote was:

Yea: (5) Wiggins, Shepperd, Zaremba, Noll, Burgett
Nay: (0)

APPROVAL OF THE FY2004-2009 CAPITAL IMPROVEMENTS PROGRAM

Mr. Zaremba moved the adoption of proposed Resolution R03-60 that reads:

A RESOLUTION TO ADOPT THE FISCAL YEAR 2004-2009 CAPITAL
IMPROVEMENTS PROGRAM AS A LONG-RANGE PLANNING
DOCUMENT

WHEREAS, in consideration of materials received from the departments and agencies of the County and direction from the Board of Supervisors, the County Administrator has developed a proposed Fiscal Year 2004-2009 Capital Improvements Program; and

WHEREAS, the Capital Improvements Program serves as a long-range planning document subject each year to review and approval of funding by the Board of Supervisors; and

WHEREAS, such review has been completed for the Fiscal Year 2004-2009 Capital Improvements Program;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 1st day of April, 2003, that the County Administrator's proposed Fiscal Year 2004-2009 Capital Improvements Program be, and is hereby, adopted by the Board of Supervisors.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Wiggins, Burgett
Nay: (0)

DESIGNATION OF REAL PROPERTY TAX FOR SCHOOL PURPOSES

Mr. Shepperd moved the adoption of proposed Resolution R03-59 that reads:

A RESOLUTION TO DESIGNATE A PORTION OF THE REAL PROPERTY TAX FOR SCHOOL PURPOSES

WHEREAS, Public Law 874 enacted by the 81st Congress, and codified in 20 U.S.C. Sections 236 to 241-1 and 242 to 244 (hereinafter "the Act"), provides for federal financial assistance to local educational agencies in areas affected by federal activities; and

WHEREAS, approximately thirty-eight percent (38%) the land area of York County is controlled by the federal government, which entitles the York County School Division to financial assistance under Section 2 of the Act, as administered pursuant to U. S. Department of Education regulations governing distribution of financial aid authorized by the Act, 34 CFR Part 222, Subpart J; and

WHEREAS, the York County School Division is a fiscally dependent local education agency under these U. S. Department of Education regulations; and

WHEREAS, 34 CFR Section 222.3, Definitions, provides that for a fiscally dependent local education agency, the local real property tax rate for school purposes can be defined as "that portion of a local real property tax rate designated by the general government for school purposes"; and

WHEREAS, the York County Board of Supervisors finds it to be in the best interest of the citizens of York County to designate a portion of the local real property tax rate for school purposes in conformance with 34 CFR Section 222.3;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 1st day of April, 2003, that, for Fiscal Year 2004, a portion of the York County, Virginia, local real

April 1, 2003

property tax rate equal to sixty-three and seven tenths cents (\$.637) per \$100 of valuation be, and is hereby, designated for school purposes as provided in 34 CFR Section 222.3.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett

Nay: (0)

Meeting Adjourned. At 8:16 p.m. Chairman Burgett declared that the meeting be adjourned to 6:00 p.m., Tuesday, April 8, 2003, at Nick's Seafood Pavilion, for the purpose of conducting a joint meeting with the York Town Trustees.

James O. McReynolds, Clerk
York County Board of Supervisors

James S. Burgett, Chairman
York County Board of Supervisors